

January 11, 1999



OFFICE OF THE  
ATTORNEY GENERAL  
STATE OF TEXAS

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JOHN CORNYN  
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Mr. Michael J. Bostic  
Assistant City Attorney  
City of Dallas  
Office of the City Attorney  
Criminal Law and Police Division  
2014 Main Street, Room 206  
Dallas, Texas 75201

OR99-0069

Dear Mr. Bostic:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 120818.

The City of Dallas (the "city") received a request for information related to a report of a juvenile runaway, assigned number 0602478-G. You contend that this information may be excepted from public disclosure by section 552.101 of the Government Code in conjunction with chapter 58 of the Family Code. You also raise common-law and constitutional privacy considerations. You have supplied the responsive information. We have considered the exceptions you claim and have reviewed the documents at issue.

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Release of the requested information is governed by chapter 58 of the Family Code.

Section 58.007(c) of the Family Code makes confidential the records of juvenile offenses that occurred on or after September 1, 1997 that are held by law enforcement agencies. This section reads in pertinent part as follows:

- (c) Except as provide by Subsection (d), law enforcement records and files concerning a child may not be disclosed to the public . . .

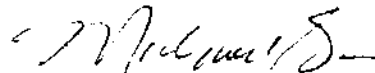
Subsection (d) relates to criminal records that contain mixed information concerning both adult and juvenile offenders; it is irrelevant to the current discussion.

Here, the requested information involves juvenile conduct that occurred after September 1, 1997. The requested information is confidential pursuant to section 58.007(c) of the Family Code. As there are no exceptions to this statute applicable to the subject information, it is confidential and must not be released.

As the above analysis is dispositive, we do not address your arguments raised on constitutional or common-law privacy grounds.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Michael J. Burns", with a stylized flourish at the end.

Michael J. Burns  
Assistant Attorney General  
Open Records Division

MJB/ch

Ref: ID# 120818

Enclosures: Submitted documents

cc: Ms. Carol Schneble  
1001 Dunbarton Drive  
Richardson, Texas 75081  
(w/o enclosures)